

# Mail Ballot Election Procedures



Office of Montana Secretary of State  
February 2017

# Quick Guide for 2017 Mail Ballot Elections

- Location of Mail Ballot Training:
  - <http://sos.mt.gov/elections/officials/resources>
- Deadline for Secretary of State ([soselections@mt.gov](mailto:soselections@mt.gov)) to **receive** mail ballot plans, timetables, and instructions:
  - May 2, 2017 elections: **March 3, 2017.**
- Location of Mail Ballot Forms:
  - <http://sos.mt.gov/Elections/Officials/Forms#384234566-mail-ballot-forms>
- Location of Mail Ballot Laws and Rules:
  - [http://leg.mt.gov/bills/mca/title\\_0130/chapter\\_0190/parts\\_index.html](http://leg.mt.gov/bills/mca/title_0130/chapter_0190/parts_index.html)
  - <http://www.mtrules.org/gateway/Subchapterhome.asp?scn=44%2E3.27>

# Mail Ballot Elections – An Overview

- What is a Mail Ballot Election?
- Mail Ballot Election Laws and Rules
- What Types of Elections May Not Be Conducted by Mail Ballot
- Initiating a Mail Ballot Election
- Submitting the Plan, Timetable and Instructions
- Preparing Ballots
- Mail Ballot Absentee Voting

# Mail Ballot Elections – An Overview

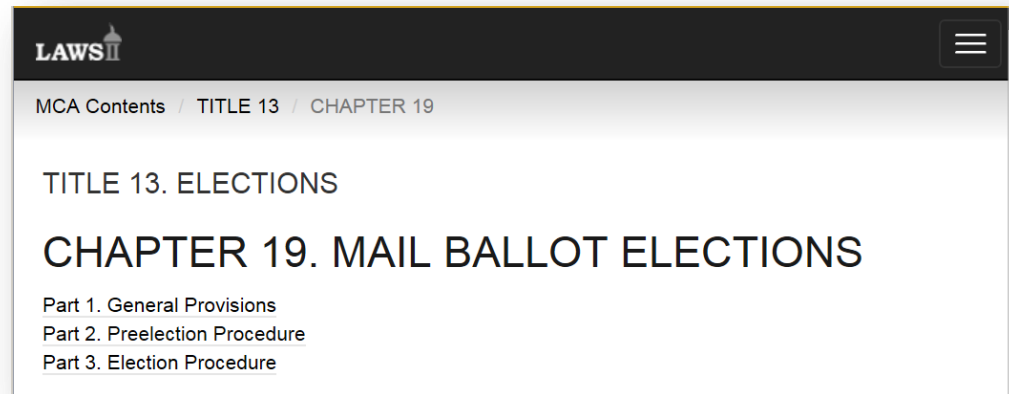
- Eligibility for Mail Ballots
- Mailing and Receiving Ballots
- Replacement, Undeliverable, and Invalid Ballots
- Late Registrants, Inactive, and Reactivating Electors
- Places of Deposit
- Mail Ballot Forms
- Frequently Asked Questions and Quick Guide

# What is a Mail Ballot Election?

- **A mail ballot election is one that is conducted by mailing ballots out automatically to eligible active and provisionally registered electors**
- **Mail ballot elections do not involve the use of polling places**

# What **Laws** are Applicable to Mail Ballot Elections?















- **Title 13,  
Chapter 19  
governs mail  
ballot  
elections**



[http://leg.mt.gov/bills/mca/title\\_0130/chapter\\_0190/parts\\_index.html](http://leg.mt.gov/bills/mca/title_0130/chapter_0190/parts_index.html)

# What **Rules** are Applicable to Mail Ballot Elections?

- The Administrative Rules in **Chapter 44.3, Subchapter 27** provide additional mail ballot procedures.

Subchapter 26 Administrative Complaint Procedures			
<a href="#">44.3.2601</a>	ADMINISTRATIVE COMPLAINT PROCEDURES	REP	6/25/2010
Subchapter 27 Mail Ballot Elections			
<a href="#">44.3.2701</a>	INITIATION OF USE IN MULTICOUNTY DISTRICT		4/13/2012
<a href="#">44.3.2702</a>	PLAN SPECIFICATIONS		4/13/2012
<a href="#">44.3.2703</a>	TIMETABLE SPECIFICATIONS		4/13/2012
<a href="#">44.3.2704</a>	PROPORTIONAL VOTING		4/13/2012
<a href="#">44.3.2707</a>	VOTING BY NONREGISTERED ELIGIBLE ELECTORS		4/13/2012
<a href="#">44.3.2710</a>	DISPOSITION OF BALLOTS RETURNED AS UNDELIVERABLE		4/13/2012
<a href="#">44.3.2711</a>	PLACES OF DEPOSIT – ELECTION OFFICIAL DUTIES		4/13/2012
<a href="#">44.3.2714</a>	PROCEDURES TO SECURE BALLOTS		4/13/2012
<a href="#">44.3.2715</a>	RECORDS OF BALLOTS RECEIVED		4/13/2012
<a href="#">44.3.2716</a>	SIGNATURE VERIFICATION PROCEDURES		4/13/2012
<a href="#">44.3.2720</a>	TRANSMITTAL ENVELOPE		4/13/2012
<a href="#">44.3.2721</a>	SIGNATURE ENVELOPE		4/13/2012
<a href="#">44.3.2722</a>	SECRECY ENVELOPE		4/13/2012
<a href="#">44.3.2723</a>	INSTRUCTIONS TO ELECTORS		4/13/2012
<a href="#">Home</a>   <a href="#">Search</a>   <a href="#">About Us</a>   <a href="#">Contact Us</a>   <a href="#">Help</a>   <a href="#">Disclaimer</a>   <a href="#">Privacy &amp; Security</a>			

<http://mtrules.org>

# What Statutory Role Does the SOS Have in Regard to Mail Ballot Elections?

- The SOS is required by state law to review and approve, **disapprove or recommend changes to** mail ballot plans and timetables.
- The SOS issues advisories, directives and informational memos on mail ballot election **processes**.





# Where in the MCA are Certain Jurisdiction-Specific Qualified Elector Laws?

- School Districts
  - 20-20-301
- Special Districts: (*See list at right.*)
  - 7-11-1002, 1003, 1011
- Cemetery districts, museum districts, park districts, fair districts, solid waste districts, local improvement districts, mosquito control districts, multijurisdictional districts, road districts, rodent control districts, television districts, and districts created for any public or governmental purpose not specifically prohibited by law.

# Where in the MCA are Certain Jurisdiction-Specific Qualified Elector Laws?

- **Special Districts: (*See list of exceptions at right.*)**
  - **7-11-1002(3)(c)**
  - **May include voting by electors who are not registered in the jurisdiction**
- **For the purposes of this section, the term “special districts” does not include business improvement districts, cattle protective districts, conservancy districts, conservation districts, water and sewer districts, planning and zoning districts, drainage districts, grazing districts, hospital districts, irrigation districts, library districts, livestock protective committees, parking districts, resort area districts, rural improvement districts, special improvement districts, lighting districts, rural fire districts, street maintenance districts, tax increment financing districts, urban transportation districts, water conservation and flood control projects, and weed management districts.**

# Where in the MCA are Certain Jurisdiction-Specific Qualified Elector Laws?

- **Water & Sewer Districts**
  - [7-13-2212](#), [7-13-2325](#)
  - Includes voting by electors who are not registered in the jurisdiction
- **Fire Districts**
  - [7-33-2106](#)
  - Includes voting by electors who are not registered in the jurisdiction
- **Hospital Districts**
  - [7-34-2113](#)

# Where in the MCA are Certain Jurisdiction-Specific Qualified Elector Laws? (cont.)?

- Irrigation Districts
  - 85-7-1710
  - Includes voting by electors who are not registered in the jurisdiction and proportional voting
- Drainage Districts
  - 85-8-305
  - Includes voting by electors who are not registered in the jurisdiction and proportional voting

# Where in the MCA are Certain Jurisdiction-Specific Qualified Elector Laws?(cont)?

- **Conservation Districts**
  - [76-15-207](#)
- **Local Port Authority**
  - [7-14-1106](#)
- **Housing Authority**
  - [7-15-4408](#)
- **Urban Transportation Districts**
  - [7-14-210](#)

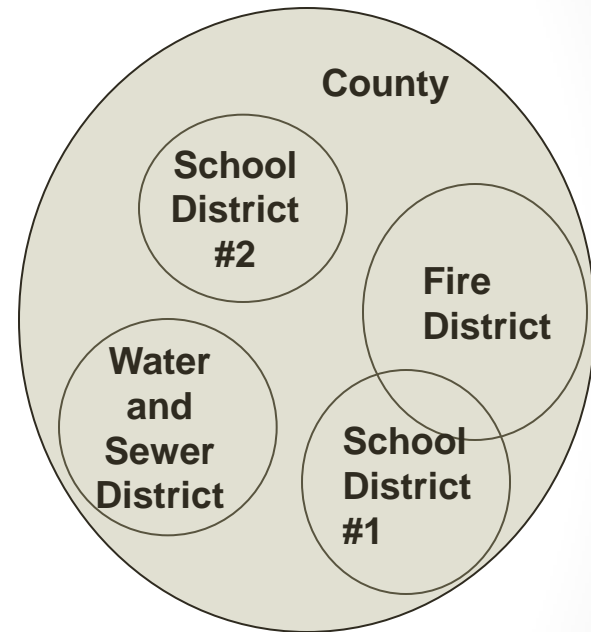
# What is Proportional Voting?

- Proportional voting allows each elector to cast votes based on the amount of land owned by the elector within the district.
- Only irrigation districts and drainage districts have proportional voting.
- The term “proportional voting” does not refer to voting in bond elections.



# What Does the Term “Political Subdivision” Mean?

- The term “political subdivision” refers to the specific jurisdiction, such as a fire district, water and sewer district, school district, etc.
- Even if one election in a county is being held at a polling place, other elections may be held by mail ballot in the same county on the same day.
- In cases in which the voters overlap between elections conducted on the same day, all the elections should ideally be held either by mail or at the polling place.
  - This will help avoid voter confusion.
- Please consult with your county attorney for final decisions on interpretation of local election laws.



# What Types of Elections May Not Be Conducted by Mail Ballot?

- Regularly scheduled federal, state, or county elections;
- A special federal or state election, unless authorized by the legislature;
- A regularly scheduled or special election when another election in the political subdivision is taking place at the polls on the same day.





# Are Mail Ballot Elections Ever Required?

- Mail ballot elections are never required.
- The governing body can request but not require that an election administrator conduct an election by mail ballot.
- Alternatively, the election administrator can initiate the decision to hold an election by mail ballot.
  - The governing body can object by resolution at least 55 days or more before the election; if so, the election cannot be held by mail ballot.



# What Are the Steps for Initiating a Mail Ballot Election?

- The governing body of the political subdivision passes a resolution and transmits it to the election administrator no later than 70 days before election day.
  - **Within 5 days, the election administrator responds in writing granting or denying the request and specifying the reason(s).**
  - **If granted, the election administrator prepares the written plan and timetable.**



– OR –

# What Are the Steps for Initiating a Mail Ballot Election (cont.)?

- An election administrator can initiate the election at any time before the deadline for submission of the plan and timetable, even if the governing body has not made a request.
  - **Election administrator must then:**
    - **Prepare the written plan**
    - **Forward it to the governing body**
    - **Include a statement giving the reasons**
    - **Inform the governing body of the right to object.**
- The governing body can object to conducting the election by mail ballot if it:
  - passes a resolution; and
  - files it with the election administrator no later than 55 days prior to election day.



# What Are the Requirements for Submission of the Plan, Timetable ,and Instructions?

- The plan, timetable and instructions must be **received** by the Secretary of State at least 60 days before the election.
- The plan, timetable and instructions may be amended up until the 35<sup>th</sup> day before the election by notifying the SOS in writing of any changes.
- The plan, timetable and instructions should be emailed to [soselections@mt.gov](mailto:soselections@mt.gov).
  - If you email them, you do not need to follow up with a mailed copy, although you may want to call or email to confirm receipt.

# What Are Tips for Filling Out the Plan, Timetable, and Instructions?

- The plan, timetable, and instructions can be found online at <http://sos.mt.gov/elections/officials/forms#384234566-mail-ballot-forms>.
- Make sure you fill in each applicable item on the plan and timetable.
- The 55<sup>th</sup> day (for the governing body to opt out of the mail ballot election) before a Tuesday election is always a Wednesday.
- On the timetable, be sure to put in actual dates rather than ranges of dates.
- Also on the timetable, be aware of holidays and weekends.



# Written Plan and Timetable

## Mail Ballot Written Plan, Timetable and Instructions

MUST BE RECEIVED BY SECRETARY OF STATE NO LATER THAN 60 DAYS BEFORE ELECTION DAY. COMPLETE, SAVE AND EMAIL THIS FORM TO [sos.elections@mt.gov](mailto:sos.elections@mt.gov). THIS DOCUMENT MAY BE AMENDED UNTIL THE 35<sup>TH</sup> DAY BEFORE THE ELECTION. ELECTION CAN BE CANCELLED AT ANY TIME PERMITTED BY LAW. A SEPARATE PLAN MUST BE SUBMITTED FOR EACH TYPE OF ELECTION.

Written Plan	Response
1 Legal Name of Jurisdiction	Click here to enter text
2 Name of County or Counties Involved	Click here to enter text
3 Estimated # of Electors (including Active, Inactive, and Provisional in jurisdiction; inactive voters are only provided ballots by request but should be included in estimate)	Click here to enter #
4 Type of Election (e.g., trustee/director/governing body, levy, bond, creation, etc.)	Click here to choose one from list
5 Postage to return ballot paid by: elector or election office (& if insufficient, who pays)	Click here to choose from list
6 Describe procedures you will use to ensure security and transport of ballots	Ballots will be deposited in locked ballot box and secured in locked area. Any transportation of ballots will be conducted by at least two officials.
7 Ballots will be printed based on: precinct, ward, or district	Click here to choose from list
8 For school elections, specify signature verification procedures:	Signatures are verified by school clerk through printed signature lists

Timetable	Date
1 Date applicable documents sent to the governing body <small>No date set by law, but should be no later than 60 days before election. Documents include: 1) written plan; 2) statement of decision to conduct election by mail; 3) list of reasons for decision; and 4) statement regarding right of governing body to object under 13-19-304.</small>	Click here for calendar or enter a date
2 Actual date of submission of plan, timetable, and instructions to Secretary of State <small>(Must be received by Secretary of State at least 60 days before election.)</small>	Click here for calendar or enter a date
3 Last day for governing body to opt out of mail ballot (no later than 55 days before election – if the election is on a Tuesday, the last day to opt out is a Wednesday)	Click here for calendar or enter a date
4 Secretary of State approves, disapproves or recommends changes to plan	Within 5 days of SOS receipt of plan
5 Publish notice specifying close of voter registration and availability of late registration <small>(For non-school elections, published at least 3 times in the 4 weeks preceding the close of registration, once per week. For school elections, provide close of registration, annual election notice or special election notice at least once between 40<sup>th</sup> and 30<sup>th</sup> day before election.)</small>	Click here for calendar or enter 1st date Click here for calendar or enter 2nd date Click here for calendar or enter 3rd date
6 Publish notice of election <small>(All non-school elections: 13-1-106, MCA; school elections: 20-30-304, MCA. For school elections, notice must be published at least once between 40 and 30 days before the election in a newspaper (if there is one in the district) and in 3 public places in the district, and for 10 days prior to the election, on the district's website, if the district has an active website.)</small>	Click here for calendar or enter 1st date Click here for calendar or enter 2nd date Click here for calendar or enter 3rd date
7 Close of regular voter registration <small>(30 days before election; move to 29 days before election when 30th day falls on a Sunday)</small>	Click here for calendar or enter a date
8 Beginning of late voter registration (applicable to all elections) <small>(Late registration opens for all elections the day after the close of regular registration)</small>	Click here for calendar or enter a date
9 Specific date on which ballots will be mailed <small>(No sooner than 20 days or later than 15 days before election)</small>	Click here for calendar or enter a date
10 Election Day	Click here for calendar or enter a date

**Additional Information** (to access the sections of law below, visit <http://leg.mt.gov/bills/mca.asp>):  
List here any special requirements from applicable laws: Water/Sewer (7-13-221; 7-13-232), Fire (7-33-2106), Museum (7-11-1011(5)), Cemetery (7-11-1011(5)), Drainage (8-5-8-903), Irrigation (8-5-7-1710); certain Special Districts (7-11-1011(5); defined in 7-11-1002(3)(b)).

**Affirmation:**  
By entering my name on the line below, I affirm that I will conduct the election according to the written plan and timetable for conducting the election. I understand that any undeliverable ballots must be filed securely, retained and available for electors to vote and that I must attempt to contact electors whose ballots are undeliverable. If such electors cannot be contacted otherwise, electors in odd-year elections will be mailed a notice and the guidelines in 13-19-315, MCA and ARM 24.3.2712 will be followed. (For school trustee elections: if a school trustee election is cancelled for any reason, I understand I must follow the deadlines and process in 20-3-313, MCA.)

Type Name(s) Here \_\_\_\_\_  
Name(s) of Election Administrator(s) Conducting Election \_\_\_\_\_

Complete the above plan and timetable and the instructions below, and save and email this form to [sos.elections@mt.gov](mailto:sos.elections@mt.gov).

Updated March 4, 2018

<http://sos.mt.gov/portals/142/elections/documents/officials/Mail-Ballot-Plan-Timetable-and-Instructions.docx>

# Instructions

## INSTRUCTIONS FOR VOTING A MAIL BALLOT – PLEASE READ CAREFULLY

Read carefully and follow all directions

Ballots must be received by election office by 8 p.m. on Election Day

Failure to follow directions may invalidate part or all of your ballot

### 1. VOTE YOUR BALLOT

- As instructed on the ballot, mark the designated voting area for each race using only black or blue ink pen.
- Vote in all columns and both sides of ballot(s) as applicable. *Skipping a race will not invalidate your ballot.*
- Do not** cross out, erase, or use correction fluid.
- Do not** make any identifying marks on your ballot.
- Do not** mark more choices than allowed for each race (overvote) as that will cause that race only to not be counted.

#### SAMPLE OVERVOTED RACE For United States Representative (Vote for One)

☐ John Doe  
☒ Thomas Jefferson  
☒ Jane Q. Public

Void Overvote

- To write in a candidate's name, mark the designate voting area to the left of the line provided and print the name in the blank space.

#### SAMPLE WRITE-IN VOTE For United States Representative (Vote for One)

☒ John Doe

- If you make a mistake or spoil your ballot, request a replacement ballot from the election office.

### 2. PREPARE BALLOT FOR SUBMITTAL

- Place VOTED ballot in the **SECRECY ENVELOPE** and **seal** (if multiple sheets, return all sheets of the ballot).
- SIGN YOUR signature** on the voter affirmation on the back of the Signature Envelope. Failure to sign may invalidate your ballot.
- If the signature on the affirmation does not match the signature on file, the ballot may be rejected.
- Place the Secrecy Envelope containing your voted ballot into the Signature Envelope and Seal.



### 3. RETURN BALLOT

- Mail your ballot; or
- Drop off ballot at election office:



The place(s) of deposit and the days and times when ballots may be returned to the places of deposit before election day and on election day are:

Enter here the address locations of the place(s) of deposit, the Monday through Friday hours before election day for each such place of deposit, AND the election day hours for each such place of deposit.

- This election is by mail ballot only – regular polling places will not be open. Ballots must be received at the election office by 8 p.m. on Election Day, [redacted]. (Note: a postmark cannot be accepted so if you mail your ballot make sure there is enough time for it to reach the election office.)

#### DO NOT FORGET POSTAGE IF MAILING:

[redacted] cents postage required



**ASSISTANCE FOR VOTERS WITH DISABILITIES:** There are options for voters with disabilities. Contact your election office for information about all options.

**MILITARY/OVERSEAS VOTERS:** If you are an active-duty absent military voter or overseas citizen, electronic registration and voting options may be available. Contact your election office for information about all options.

#### IF YOU HAVE QUESTIONS CONTACT THE ELECTION OFFICE AT:

Phone: 406-[redacted]

Fax: 406-[redacted]

Email: [redacted]



<http://sos.mt.gov/portals/142/elections/documents/officials/Mail-Ballot-Plan-Timetable-and-Instructions.docx>

**Please remember to fill in the opening and closing hours both before election day, and on election day.**

# How Are Mail Ballots Prepared?

- Mail ballots are not required to have stubs.
- The names of candidates are rotated, except in school elections.
- Ensure that each mail ballot packet contains only one each of the following:
  - An individually stamped official ballot or set of ballots;
  - a secrecy envelope;
  - a signature envelope; and
  - complete written instructions.





# How Are Mail Ballots Prepared (cont.)?

- Ensure that each packet is:
  - addressed to a single individual elector at the most current address available from the official registration records; and
  - deposited in the United States mail with sufficient postage for it to be delivered to the elector's address.
- Mark the packet pursuant to postal regulations to ensure that, if undeliverable as addressed, it is not forwarded.

# How Is Mail Ballot Absentee Voting Handled?

- A qualified elector who will be absent from the county during the election may:
  - vote in person in the election office as soon as ballots are available and until noon the day before the ballots are scheduled to be mailed; or
  - make a written request that the ballot be mailed to an address other than the one on their registration card.
- Written requests for absentee ballots must be accepted until noon the day before the ballots are scheduled to be mailed.
- Absentee ballots that are mailed are sent the same day that all other ballots are mailed.



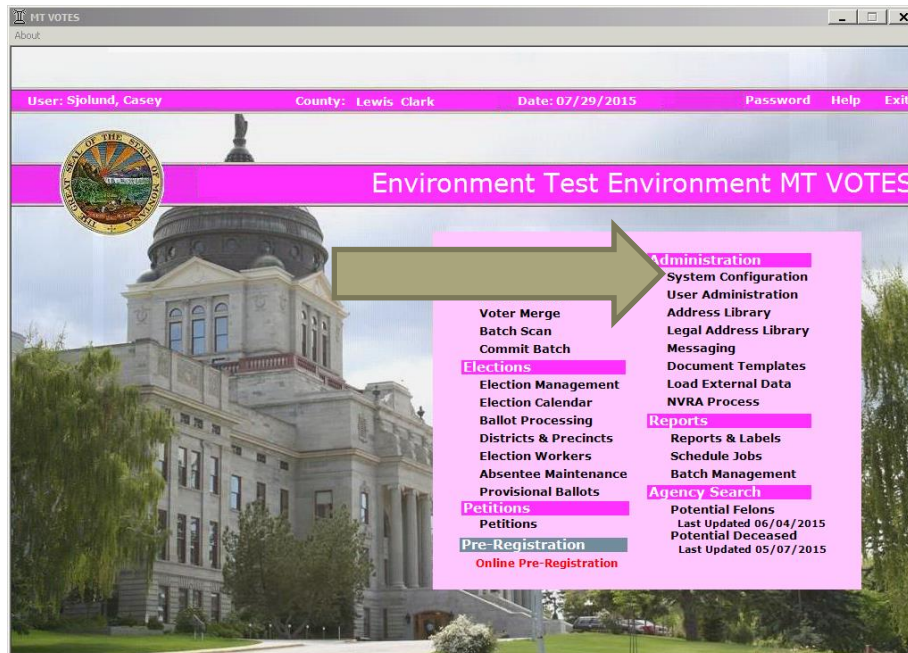
**Snowbirds  
might vote  
absentee!**



# Setting up Ballot Processing

Since mail ballots are primarily returned via the mail, it may be helpful to set up MT Votes to default to 'Mail' as the default **Source**. Doing this will save time.

From the MT Votes main screen, click on **System Configuration**.





# Setting up Ballot Processing

Then click on **County Configuration** and then **County Parameters**.

**System Configuration**

[Voter Search](#) [Help](#)

- ADDRESSES
- VOTER RECORD
- ELECTIONS
- PETITIONS
- POLLING PLACE/LOCATION
- ELECTION WORKERS
- STATE CONFIGURATION
- COUNTY CONFIGURATION**
  - County Contacts
  - County Parameters**
  - Export Voter Images
- ERROR LOG
- USER SETTINGS

### County Parameters

Parameter Name	Parameter Value
Ballot Processing Records Per Page(1-6)	
Ballot Receiving Message: Ballot(s) issued af	
Ballot Receiving Message: Other ballot(s) alr	
Ballot Receiving Message: Process normally	
Ballot Receiving Message: Replacement ball	
Ballot Receiving Message: Replacement issu	
Ballot processing barcode file upload path	v:\users\CT1024\desktop\test
Batch Scan starting Number	4443

### District Types to be printed on Confirmation Card

District Types	Selected County District Types
<input type="checkbox"/> AMBULANCE	<input type="checkbox"/> PRECINCT
<input type="checkbox"/> CEMETERY	<input type="checkbox"/> SENATE DISTRICT
<input type="checkbox"/> CITYWIDE	<input type="checkbox"/> HOUSE DISTRICT
<input type="checkbox"/> COMMUNITY COUNCIL	<input type="checkbox"/> SCHOOL DISTRICT
<input type="checkbox"/> CONGRESSIONAL	
<input type="checkbox"/> COUNTY COMMISSIONER	
<input type="checkbox"/> COUNTYWIDE	
<input type="checkbox"/> DRAINAGE	
<input type="checkbox"/> FIRE	
<input type="checkbox"/> HOSPITAL	
<input checked="" type="checkbox"/> HOUSE DISTRICT	

**Save** **Close**



# Setting up Ballot Processing

Then in the **County Parameters** window, scroll down until you get to **Default Ballot Processing Source**, then set the value to 6 (Mail). Then Click **Save**.

Parameter Name	Parameter Value
Default Absentee Label	
Default Absentee Status for Absentee Maintenance	
Default Address Type (0 = Non-Standard, 1 = Standard)	
Default Ballot Processing Source (0 = 6)	6
Default Election for Absentee Requests (0 = 1)	1
Default ballot process signature status	
Default petition process signature status	
File Name for TIF Import	0000001.tif

**District Types to be printed on Confirmation Card**

**District Types**

- ☐ AMBULANCE
- ☐ CEMETERY
- ☐ CITYWIDE
- ☐ COMMUNITY COUNCIL
- ☐ CONGRESSIONAL
- ☐ COUNTY COMMISSIONER
- ☐ COUNTYWIDE
- ☐ DRAINAGE
- ☐ FIRE
- ☐ HOSPITAL
- ☒ HOUSE DISTRICT

**Selected County District Types**

- PRECINCT
- SENATE DISTRICT
- HOUSE DISTRICT
- SCHOOL DISTRICT

Save Close



30

# Who is Eligible for Mail Ballots?

- All qualified individuals in the political subdivision.
- To be qualified, any registered electors must be either active or provisionally registered electors:
  - Inactive electors are not automatically provided with ballots; they must first reactivate.
  - Provisional registrants should be sent ballots, accompanied by the provisionally registered elector instructions and elector ID form.
- In certain elections, individuals can vote if they own property in the political subdivision, even if they are not registered electors of the political subdivision.
  - Local election statutes specify the election-specific requirements.



# When Are Ballots Mailed?

- All mail ballots must be sent on a single day between 20 to 15 days before the election, except:
  - Ballots mailed to absent military and overseas electors (sent as soon as ballots are available).
  - Ballots mailed to electors who reactivate after the date on which ballots are mailed.
- Ballots may be given to the following, before or after the date the ballots are mailed:
  - Late Registrants (in-person only)
  - Reactivating Electors
  - Individuals Requesting Replacement Ballots





# How Are Submitted Ballots Handled?

- All mail ballots are considered to be voted as soon as they are received in the election office.
- A voted ballot is valid if:
  - it is sealed in the secrecy envelope and returned in the signature envelope (*see below if it is not placed in a secrecy envelope*);
  - the elector's signature on the affidavit on the signature envelope is verified;
  - it is received before 8 p.m. on election day (except for UOCAVA Federal Write-In Absentee Ballots FWABs, which can be received by the 6<sup>th</sup> day after election day, and electronically submitted ballots, which can be received by 5 p.m. the day after election day).
- If a voted ballot has not been placed in a secrecy envelope, the election official places the ballot in a secrecy envelope without examining the ballot.



# How Are Replacement Ballots Handled?

- An elector may obtain a replacement ballot if the original ballot is destroyed, spoiled, lost, or not received by the elector.
- A request for a **replacement** ballot must be made no later than 8 p.m. on election day using a form prescribed by the secretary of state and submitted by the elector to the election administrator:
  - in person;
  - by regular or electronic mail; or
  - by facsimile

# How Are Replacement Ballots Handled?

- Upon receiving the sworn statement, issue a replacement ballot to the elector.
- Designate the election office, or a central location in the political subdivision in which the election is conducted, as the single location for obtaining a replacement ballot.
- Keep a record of each replacement ballot issued and designate the original ballot as “Void” in MT VOTES.

# How Are “Undeliverable – Return to Sender Ballots” Handled?

- If a mail ballot is returned undeliverable, the election administrator should not mail the ballot to a forwarding address on the undeliverable ballot envelope:
  - unless the elector confirms the elector’s mailing address in writing or verbally (*see next slide*)



# How Are “Undeliverable – Return to Sender Ballots” Handled?

- The election administrator should attempt to contact the elector:
  - ☐ If the elector provides a written updated mailing address, change the elector’s address on file in MT VOTES and mail the ballot to the new address;
  - ☐ If the elector verbally provides a new mailing address, manually print a label for that address but do not change the elector’s address in MT VOTES unless and until you receive a written confirmation.

# How Are “Undeliverable – Return to Sender Ballots” Handled?

- For UOCAVA absent active duty electors, counties should contact FVAP and see if they can get a current mailing address:
  - ☐ Contact FVAP at [Vote@fvap.gov](mailto:Vote@fvap.gov), and provide the elector’s full name, DOB and last four of SSN;
  - ☐ Whether or not the FVAP-supplied mailing address (if any) matches what is on USPS yellow sticker, update MT VOTES with the FVAP-supplied address and send the ballot to that address;
  - ☐ If FVAP does not respond with an address, send the ballot to the mailing address on the USPS yellow sticker, but do not update MT VOTES unless the voter confirms the address (such as by voting and returning the ballot).

# How Are “Undeliverable – Return to Sender Ballots” Handled?

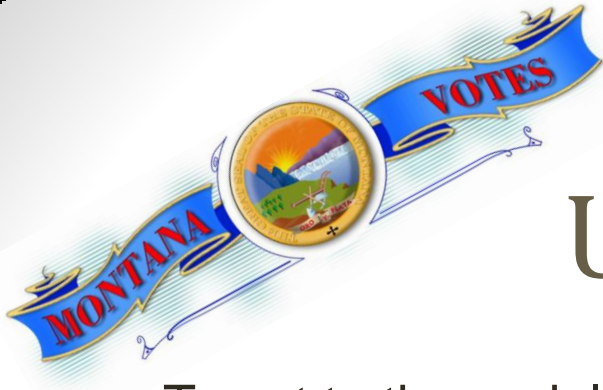
- If the elector cannot be contacted otherwise to update the elector’s mailing address, mail an NVRA confirmation notice (unless an upcoming federal election is occurring within 90 days):
  - By forwardable, first-class mail to the mailing address in MT VOTES, with a postage-paid, return-addressed notice.
  - If the notice is returned undeliverable, the elector must be placed on the inactive list until that elector becomes a qualified elector.

# Undeliverable Ballots in Odd-Year Poll Elections and Even-Year Mail Elections

## **PLEASE NOTE:**

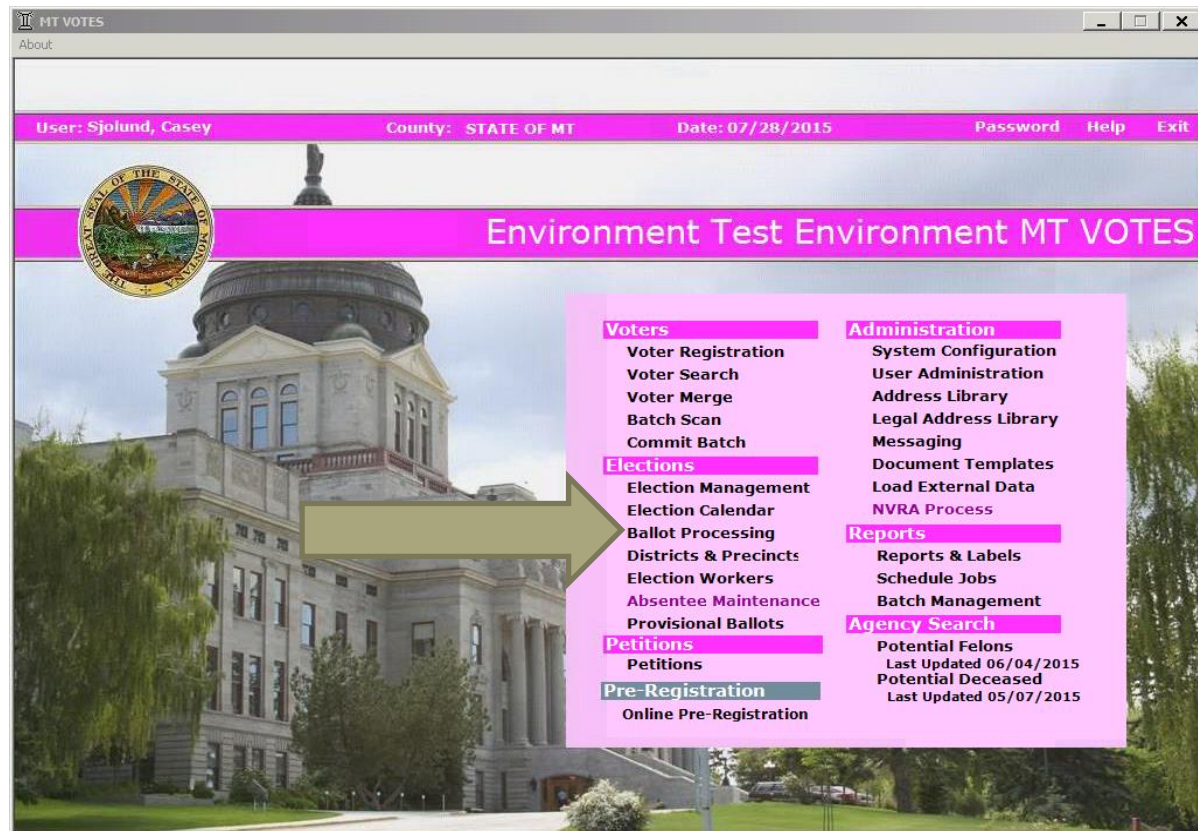
- If the election is an **odd-year poll election**, a county election administrator can optionally send out a notice to try to get the mailing address problem resolved, but the elector should not be inactivated through this process.
- Similarly, in **even-year mail ballot elections**, do not send out mail ballot inactivation notices, because this process will almost certainly violate the NVRA prohibition on systematic list maintenance within 90 days of a federal primary or federal general election.





# Undeliverable Ballots

To get to the undeliverable ballots section in MT Votes, start by clicking on **Ballot Processing**.





- [illegible]

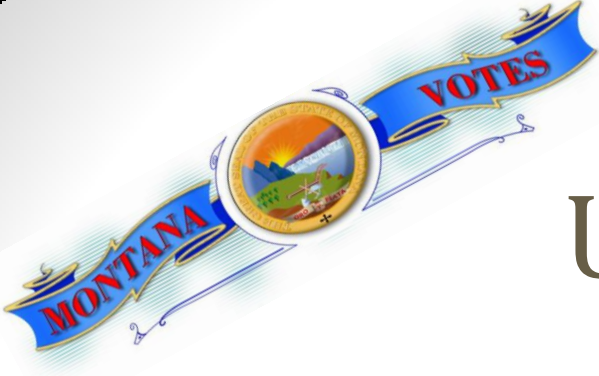


# Undeliverable Ballots

- Enter or scan in the ballot information from the label and click **Add**.
- Continue to do this until all ballots are scanned in or you reach your batch limit.
- Click **Save** and then click **Close**.



- [illegible]



# Undeliverable Ballots

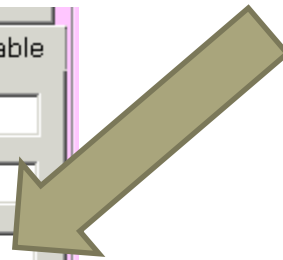
- After you enter in your Undeliverable ballots, you should print off either the **BP-035** (Undeliverable Ballot Labels) or the **EX-BP2** (Undeliverable Ballot Labels Export).
- **BP-035** will provide you with labels to send out the **Undeliverable Mail Ballot Notice** to all the voters with undeliverable mail ballots who could not be contacted otherwise to update their mailing address.
- You should do this after each batch of Undeliverable Ballots gets entered into MT Votes, and as soon as possible after receipt of an undeliverable ballot to allow time to resolve (assuming that you could not reach the elector in order to update the elector's mailing address.)



# Undeliverable Ballots

If the **odd year** Undeliverable mail ballot notices come back as Undeliverable, ensure that you track them in MT Votes. To do this you can open the voter's record, click on the Undeliverable tab, and enter the date the undeliverable mail ballot notice comes back undeliverable, see below.

Registration	Misc Info	Custom	Duplicate Req.	Undeliverable
Undeliverable 1st NVRA Notice				<input type="text"/>
Undeliverable 2nd NVRA Notice				<input type="text"/>
Undeliverable Mail Ballot Notice				<input type="text"/>
Undeliverable Voter Reg Confirmation (vcc)				<input type="text"/>
Undeliverable 2nd VCC Notice				<input type="text"/>
Comments <input type="text"/>				







# Undeliverable Ballots

- Adding a date to the voter's **Undeliverable Mail Ballot Notice** field, as shown in the prior slide, allows you to easily search the system for voters who had an undeliverable mail ballot notice within a date range.
  - To search for these voters, simply pull up **Voter Search**, select the **Undeliverable Tab**, and put in a date range in the **Undeliverable Mail Ballot Notice** field.
- This will be useful as you can easily identify any voters who were sent a Mail Ballot notice that came back as undeliverable.
- If you use the NVRA module for inactivation (*see second bullet on following slide*), you will be able to quickly compare the lists to ensure you are not inactivating anyone who should remain active.



# Undeliverable Ballots

- If the odd year Undeliverable Mail Ballot Notice comes back as **undeliverable**, you can manually inactivate the voter with the reason of: **Undeliverable Ballot** by changing the voter's registration status, OR;
- You can wait and use the **NVRA Module** after you have sent notices and after the election is closed, to inactivate voters whose undeliverable mail ballot notice comes back undeliverable.

The screenshot shows a web application interface for the NVRA Module. At the top, there is a dropdown menu labeled 'Elections'. Below it, there are three radio button options: '1st Notice', '2nd Notice', and 'Inactivate Voters'. The 'Inactivate Voters' option is selected, and a sub-option 'Inactivate Voters (for undeliverable mail ballots that are not UOCAVA)' is also selected. To the right of these options is a button labeled 'Calculate Voters'. Below the radio buttons is a text input field labeled 'Voter Count'. At the bottom of the interface are three buttons: 'Change Voters Status', 'Print Label', and 'Extract'. A large green arrow points from the left towards the 'Inactivate Voters' radio button.





# Undeliverable Ballots

- **Please note.** If you use the NVRA Module in MT Votes for Undeliverable Mail Ballots, it will inactivate ALL voters who had an undeliverable ballot. It does not track or verify whether or not you sent a notice, as is required by NVRA.
  - It is possible for a voter to have an undeliverable mail ballot **but** not an undeliverable notice, so these people could be wrongly inactivated.
- If you use the NVRA module for this process, it is recommended that you verify that each voter was sent a notice that was also returned undeliverable, by going to each voter's Undeliverable tab and checking to verify whether or not they should have been inactivated.



# Resending Undeliverable Ballots

If the voter asks for the ballot to be resent to a new address, MT Votes makes it extremely simple.

- Pull up the voter through Voter Search and go through Elections > Issue Ballot.

**Voter Registration**

[Elections](#) [Petitions](#) [Imaging](#) [Address](#)

**Voter record successfully retrieved.**

[New](#) [Save](#) [Clear](#) [Search](#) [Process Batch](#)



# Resending Undeliverable Ballots

When the Issue Ballot screen comes up, select **Resent-Undeliverable** as the Ballot Type, then the Label you use and the Reason for Resending. When ready, click **Print**.

**Issue Ballot Request** Voter Search Help

Election Name:  Ballot Type:

Current Ballots

Ballot Seq. #	County Tracking #	Sent	Received	Style	Precinct	Stage	Type
9	60	07/14/2...	07/17/2...	P24	P24	Undeliverable	Original

**Print Label**

☐ With next Supplemental batch

☒ Now

Select Label:

Reason For Reissuing/Resent the Ballot:



Highlight the batch number; when you do, a popup will prompt you to click **Process**.

52



# Resending Undeliverable Ballots

Find the voter in the batch and click **Delete**.

**Undeliverable Ballots** [X]

**Record 1 of 3** [Help](#)

**Batch**

Election:  Batch Description:

Batch Date:  Received Date:  Identifier:

**Ballot Label**

ID:

**Ballot Search**

Name:

Street:  City:

**Voter Details**

Name on Ballot:  Name in Record:

Status:  Status:

Ballot Residential Address:

Current Residential Address:

Ballot Mail Address:  Address Type:

Current Mail Address:

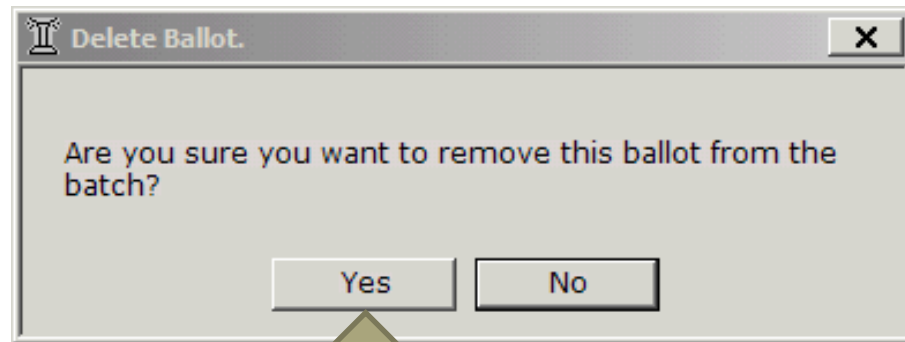
☐ Inactivate ☐ Review Registration



# Resending Undeliverable Ballots

Confirm that you would like to remove the ballot from the batch.

When you are brought back to the Undeliverable Ballot screen, select **Close**, two times.





# Resending Undeliverable Ballots

You will now be brought back to the Resend screen.

Enter the date you will resend the ballot and the address you will be resending the ballot to. Click **Print**.

Enter Resent Details

Resent Date: 07/17/2015

Resent Address

Country: UNITED STATES OF AMERICA ☒ USA

Address: TEST ADDRESS

City/St/Zip: HELENA MT 59601

Print Close

453412504  
P24  
9

DANA J BARNICOAT  
TEST ADDRESS  
HELENA, MT 59601



# Reissuing a ballot

If you have to reissue a ballot before the system sent date, the system will now prompt you to change the original ballot's sent date before you can reissue the new ballot.

The screenshot shows the 'Issue Ballot Request' window with the following details:

- Election Name:** 6/7/2016 SOS Election
- Ballot Type:** Reissued
- Current Ballots Table:**

Ballot Seq. #	County Tracking
2	164
- Print Label:**
  - ☐ With next Supplemental batch
  - ☒ Now
- Select Label:** 2014 GENERAL DYMO
- Reason For Reissuing/Resent the Ballot:** Administrative
- Buttons:** Void Ballot Range, Change Sent Date, Print, RePrint, Cancel

A 'Sent Date Change' dialog box is open, displaying the message: 'The original ballot sent date is greater than the current date. Change the sent date to the current date.' It includes a 'New Sent Date' input field, 'OK', and 'Cancel' buttons. A large green arrow points to the 'New Sent Date' field.



# Under What Circumstances Are Mail Ballots Invalid?

- A ballot is invalid if:
  - problems with the ballot have not been resolved pursuant to [13-13-245](#)
  - any identifying marks are placed on the ballot by the elector; or
  - The signature is missing or does not match, and the issue is not resolved by the elector



# Under What Circumstances Are Mail Ballots Invalid? (cont.)

- A ballot is invalid if:
  - more than one ballot is enclosed in a single signature or secrecy envelope, unless:
    - multiple elections are held at the same time and the envelope has one ballot for each election; or
    - the signature envelope contains ballots from the same household and:
      - each ballot is in its own secrecy envelope; and
      - the signature envelope contains a valid signature for each elector who has returned a ballot.



# How Are Late Registrants Handled?

- Late registrants who register to vote in a mail ballot election (as well as in polling place elections) are provided ballots in person, not by mail.
- People can late register in all elections, including school elections.

# How Are Inactive Voters Handled?

- As noted earlier, inactive voters are not automatically sent mail ballots, unlike active and provisionally registered voters.
- Inactive electors must reactivate by appearing in order to vote, requesting an absentee ballot, or notifying the EA in writing of their current address in the county.



## How are Reactivated Electors Provided with Ballots?

- At any time before noon on the day before election day, a ballot may be mailed or, upon request, provided in person at the EA's office to an elector on the inactive list after the elector reactivates the elector's registration.
- After noon on the day before election day, an inactive elector who reactivates may return to the EA's office the next day (election day) in order to receive and return a ballot.

# How Are Places of Deposit Selected?

- The EA selects the election office and may designate one or more places in the political subdivision in which the election is being conducted as places of deposit where ballots may be returned in person by the elector or the elector's agent or designee.
- If the election office is not accessible, the EA must designate at least one accessible place of deposit.
- EAs may designate certain locations as election day places of deposit, and any such designated location must function as a place of deposit only on election day.



# When and How Are Places of Deposit Staffed?

- Before election day, ballots may be returned to any designated place of deposit:
  - During the days and times set by the election administrator; and
  - Within the regular business hours of the location.
- On election day, each location designated as a place of deposit must be open during the same hours that polling places would be open, and ballots may be returned during those hours.
- Each place of deposit must be staffed by at least two election officials who (except for school election judges) are selected in the same manner as election judges.



[illegible]



# What Forms Are Used in Mail Ballot Elections?

- Mail Ballot Written Plan, Timetable, and Instructions
- Ballot Transmittal Envelope
- Ballot Signature Envelope with Affirmation
- Ballot Secrecy Envelope
- Ballot Replacement Request
- Mail Ballot Non-Registered Signature Verification Form
- Mail Ballots Voted in Person and Replacement Ballots



# What Forms Are Used in Mail Ballot Elections (cont.)?



- Mail Ballot Place of Deposit Signature Log
- Mail Ballot Daily Log of Ballots Received
- Mail Ballot Place of Deposit Transport Box Seal Register
- Verification of Signature/Missing Signature
- Undeliverable Mail Ballot NVRA Confirmation Notice

# Frequently Asked Questions

- In certain elections, is voting permitted by individuals who are not registered in the district?
  - Yes – see [13-19-304](#), MCA for specific requirements for these individuals.
- How are absentee list voters handled in mail ballot elections?
  - They are sent ballots through the normal mail ballot process.
- What happens if the mail ballot plan and timetable are received by the SOS less than 60 days before the election?
  - The SOS can only accept mail ballot plans and timetables if they are received at least 60 days before the election.



# Quick Guide for 2017 Mail Ballot Elections

- Location of Mail Ballot Training:
  - <http://sos.mt.gov/elections/officials/resources>
- Deadline for Secretary of State ([soselections@mt.gov](mailto:soselections@mt.gov)) to **receive** mail ballot plans, timetables, and instructions:
  - May 2, 2017 elections: **March 3, 2017.**
- Location of Mail Ballot Forms:
  - <http://sos.mt.gov/Elections/Officials/Forms#384234566-mail-ballot-forms>
- Location of Mail Ballot Laws and Rules:
  - [http://leg.mt.gov/bills/mca/title\\_0130/chapter\\_0190/parts\\_index.html](http://leg.mt.gov/bills/mca/title_0130/chapter_0190/parts_index.html)
  - <http://www.mtrules.org/gateway/Subchapterhome.asp?scn=44%2E3.27>